

MINUTES
Audio Recording Available
PLANNING COMMISSION MEETING
NOVEMBER 1, 2012
LAKEWOOD CITY HALL
7:00 P.M.
AUDITORIUM

Meeting called to order at 7:00 P.M.

Roll Call

MEMBERS PRESENT

Hannah Belsito
Mary Cierebiej, Vice Chair
Robert Greytak
Tamara Karel
Patrick Metzger
Mark Stockman, Chairman

OTHERS PRESENT

Dru Siley, Commission Secretary, Dir. of P&D

A motion was made by Ms. Cierebiej, seconded by Ms. Belsito, to **EXCUSE** the absence of Ruth Gillett. All of the members voting yea, the motion passed.

October 4, 2012 Meeting Minutes

A motion was made by Ms. Cierebiej, seconded by Mr. Greytak, to **APPROVE** the minutes of the October 4, 2012 meeting. All of the members voting yea, the motion passed.

Opening Remarks

The reading of the opening remarks was waived. Mr. Siley reminded the applicants and public to please sign the oath when approaching the podium to speak. _____

NEW BUSINESS

4. **Docket 11-24-12** **1528 West 117th Street**
 Dunkin' Donuts

Bruce Sekanick, Phillips/Sekanick Architects, Inc., requests Conditional Use approval of an Outdoor/Seasonal Dining Facility, pursuant to Sections 1129.02 – Principal and Conditional Permitted Uses, 1129.13 – Supplemental Uses for Outdoor/Seasonal Dining Facility, 1161.03(t) – Supplemental Regulations for Specific Uses, and 1173.02 – Conditional Use Permit. The property is located in a C3, Commercial and General Business district. (Page 3)

Kelly Shaulis, Phillips/Sekanick Architects, was present to explain the request. The proposed dining would have three tables with four chairs each (twelve chairs total) on a paved area measuring 27 feet x 12 feet. Regarding landscaping, no change would be made except

relocating material from the side to the building to the edge of the paved area. Parking was not affected. She supplied a sample of the umbrella material; there would be no logos. There was indoor seating for 24 patrons, and there were 15 parking spaces.

There were no comments or questions from the Commission or the public. Mr. Siley said the administration supported the application, and the ratio of indoor seating to parking spaces fell well within the requirements.

A motion was made by Mr. Stockman, seconded by Ms. Clerebief, to **GRANT** the application as submitted. All of the members voting yea, the motion passed.

5. Docket 11-25-12 12507 Plover Street

Kim Schoel, applicant, request approval of a variance, pursuant to Section 1173.04 – Variances, to allow retail sales and a second floor dwelling unit. The property is located in an R-2, Single and Two Family district. (Page 12)

Mr. Stockman said the application had been altered since its submission, and Mr. Siley would explain that change after the applicant presented her request.

Kim Schoel, applicant, was present to explain the request. She was an artist who designed and made jewelry and was looking for a space to live and work and to perhaps have a gallery. She thought there were 15 to 16 parking spaces that came with the building. The gallery would be by appointment only except for a few times throughout the year to coincide with other events such as when the Screw Factory hosts the annual Artist Open Studio. Ms. Karel asked if the building would be modified in any way. Ms. Schoel thought to remove the panels in the windows and replace with glass, repair the side entrance and add a ramp to allow for ADA accessibility, and work on the front entrance; these would be done in phases. Her primary focus was to retrofit the living space and front gallery space. Then she would start to redo the front windows to improve the look.

There were no additional questions or comments from the Commission, and there were no comments or questions from the public. Mr. Siley said that he and the applicant had spoken earlier in the week. He said the proposed project was exactly the thing the city sought and was perfect for the Birdtown district. He cited a precedence set by a church near Hayes Elementary School being turned into financial institution offices. He read into record Chapter 1149.03(c):

If no structural alterations are made, any non-conforming use of a structure or structure and land may, as a conditional use, be changed to another non-conforming use provided the Commission makes the following findings:

Mr. Siley said that in his estimation, the changes would be cosmetic rather than structural. He continued quoting the chapter:

(1) That the proposed use is more appropriate and compatible with the neighborhood than the existing use;

He said it had previously been used as commercial and office space, and the proposed would reduce the intensity on the neighborhood by making the property more residential.

(2) That there would be reduction in traffic if the existing use created a traffic problem.

Mr. Siley said there had never been a traffic problem, and there was adequate space for parking.

In permitting such change the Commission may require appropriate conditions and safeguards that it deems necessary to protect and improve the neighborhood.

As discussed at the pre-review meeting, Mr. Siley suggested the Commission approve the application for one year and revisit it next year, as it would be setting the groundwork for any future conversation.

Ms. Schoel asked if she needed a zoning permit for the live/work space. Mr. Siley said the minor alteration to the application, if granted by the Commission, would allow for the live/work space; one approval as a conditional use to allow Ms. Schoel to use the property as proposed.

Mr. Stockman said the property had been a conditional use since the 1930s, and he supported it. Discussion ensued about the proposed conditions: hours of operation, the number of permitted residential units, and the number of parking spaces for employees. Ms. Schoel said there would probably be one employee, and the living space would be for her only. Mr. Siley said the hours of operation for commercial were from 6:00 a.m. to midnight. Ms. Schoel said that midnight was plenty late. Mr. Siley said the former operation was from 9 a.m. to 5 p.m. with three employees. Rather than set hours of operation, maybe limit the number of appointments per day and limit the number of events. It was determined the first year would be for retrofitting and would not give an accurate picture of the operation.

A motion was made by Ms. Karel, seconded by Ms. Cierebiej, to **AMEND** the existing application to allow for the proposed intent of the application to occur under Code Section 1149.03(c) because the Commission finds that there would be no major structural alterations to the building, and that the proposed use is at least as appropriate if not more appropriate and compatible with the neighborhood than the existing manufacturing operations that are occurring there, and there was no traffic issue existing on the property so (c)(2) is not applicable, and **that as a condition to the approval of the application would be to see the applicant back in one year to revisit or hear if there are any issues, whether any amendments are to be made to the conditional use being permitted under this section, and that on the condition business hours are commercial hours from 6 to 12 seven days a week, and the condition it is limited to one residential unit permitted in the structure.** All of the members voting yea, the motion passed.

In response to Ms. Schoel's concerns, Mr. Siley said that he would meet with her and the building official within the next couple of weeks to begin work through the processes.

RULES AND REGULATIONS

6. Article II, Section A – Regular Meetings currently reads:

Regular meetings of the Commission shall be held on the first Thursday of each month at 7:00 p.m. In the event that a meeting is cancelled, it shall be held the following day (Thursday). Written notice of regular meetings, along with the minutes of the previous meeting shall be mailed to each member at least three (3) days prior to such meeting.

Proposed:

Regular meetings of the Commission shall be held on the first Thursday of each month at 7:00 p.m. ~~In the event that a meeting is cancelled, it shall be held the following day (Thursday).~~ Written notice of regular meetings, along with the minutes of the previous meeting shall be mailed delivered to each member at least three (3) days prior to such meeting.

Article III, Section A – Matters to be Included on the Docket currently reads:

Any appeal or application to the Lakewood Planning Commission must be brought to the attention of the Secretary of the Commission before noon on the Tuesday 15 days prior to the next regular meeting of the Commission shall be placed upon the docket for that meeting.

Proposed:

Any appeal or application to the Lakewood Planning Commission must be brought to the attention of the Secretary of the Commission before noon on the ~~Tuesday~~ Wednesday 15 days prior to the next regular meeting of the Commission shall be placed upon the docket for that meeting.

Mr. Siley explained the recommended changes. Additionally he suggested another change to **Article II, Section A – Regular Meetings:**

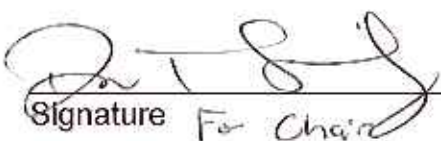
Written notice of regular meetings, along with the previous meeting shall be mailed to each member at least three (3) days prior to such meeting. The word "mailed" would now read "delivered".

Clarification was sought about a cancelled meeting not being rescheduled. Mr. Siley said it was customary to move the items to the next meeting; however, any recent cancellation would be due to no new or to deferred applications. If a meeting was needed, a date would be determined with the agreement of the Commission members.

A motion was made by Mr. Metzger, seconded by Ms. Cierebiej, to **APPROVE** the amendments. All of the members voting yea, the motion passed.

8.7. Adjourn.

A motion was made by Ms. Karel, seconded by Ms. Cierebiej, to **ADJOURN** the meeting at 7:30 p.m. All of the members voting yea, the motion passed.


Signature For Chair

12/6/12
Date



Oath

I, the undersigned, hereby agree that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

1. Kelly Shaulis
2. Kim School
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

SIGN NAME:

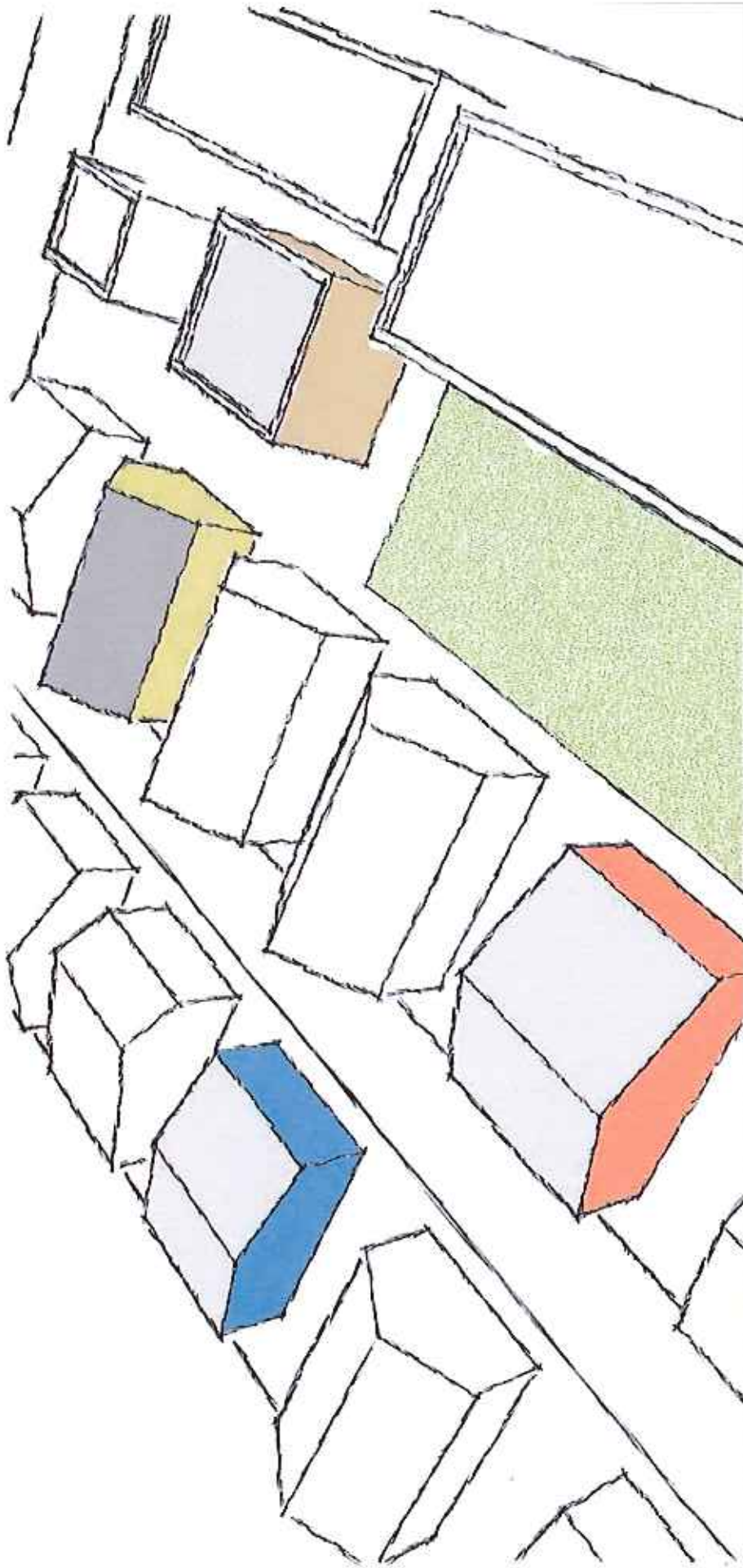
1. Kelly Shaulis
2. Kim School
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure: ☐ ABR/BBS/Sign ☐ Citizens Advisory ☐ Civil Service ☐ Dangerous Dog
☐ Income Tax Appeals ☐ Loan Approval ☐ Nuisance Abatement Appeals ☒ Planning ☐ Zoning Appeals ☐ Other:

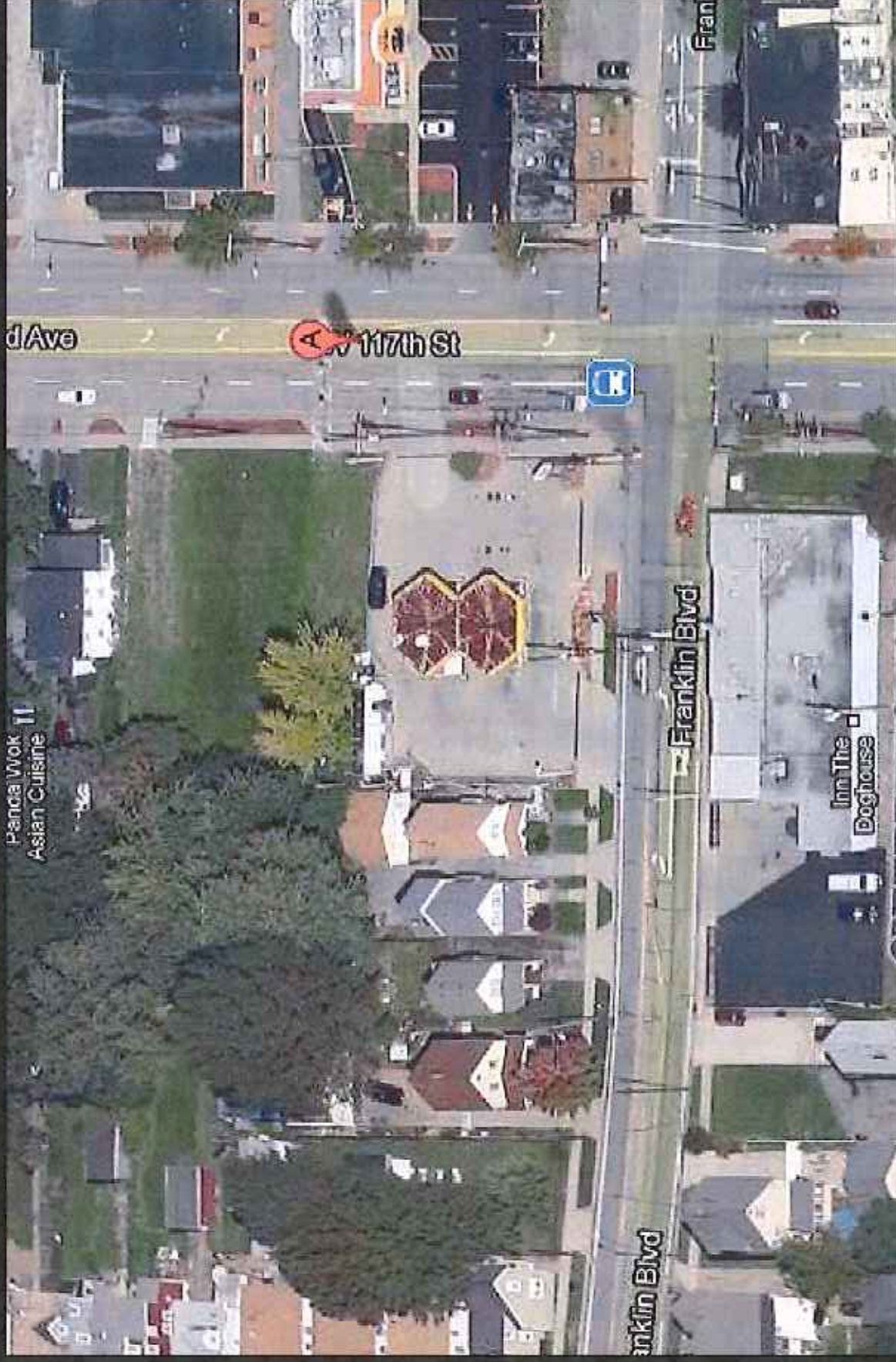
Date of Proceeding: Thursday, November 1, 2012



Planning Commission

November 2012

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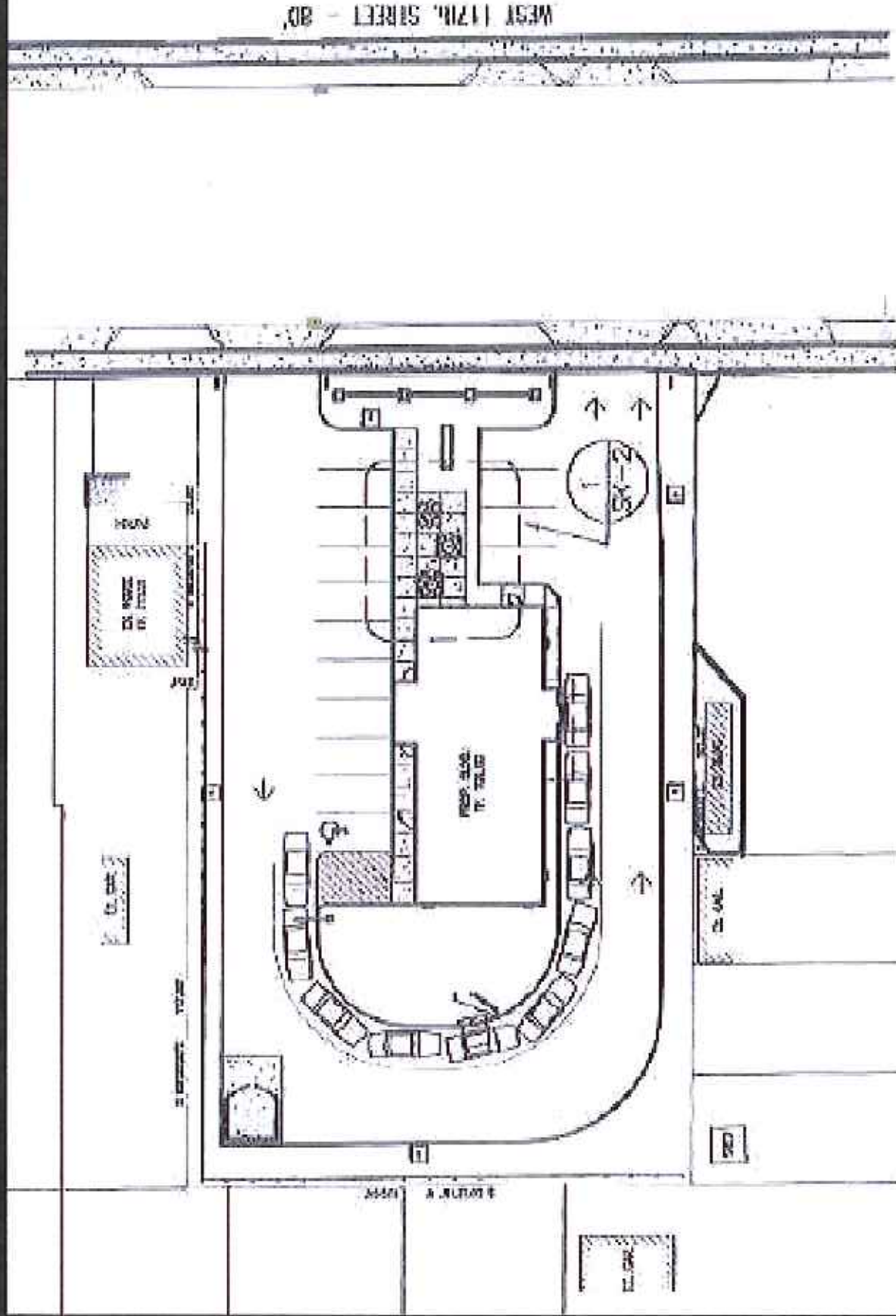
1528 West 117th Street Dunkin' Donuts

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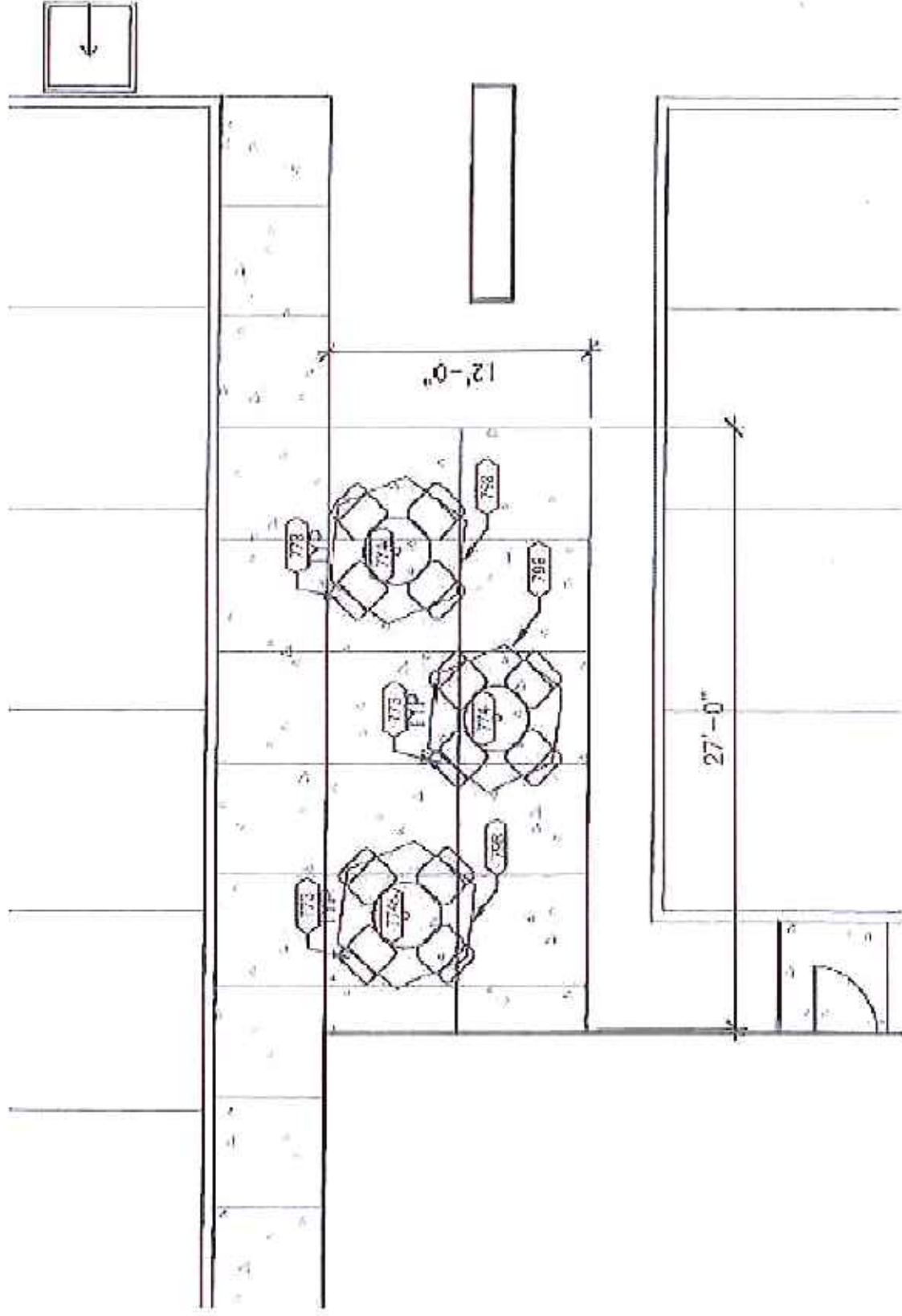
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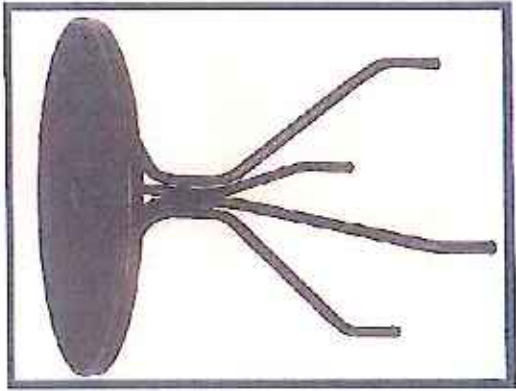
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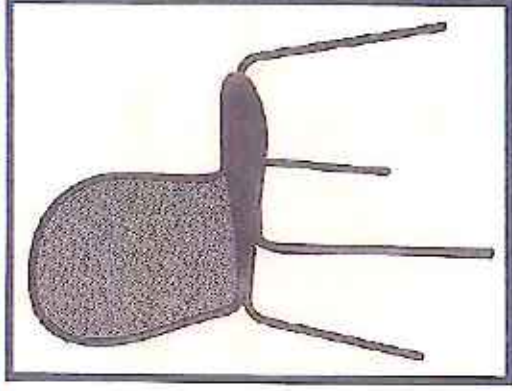
1528 West 117th Street Dunkin' Donuts

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MODEL# CAPRI 52-8036 DINING HEIGHT IN BRONZE
36" DIAMETER X 29.5" OVERALL HEIGHT IN

1-800-FURNITURE
AMERICAN CHAIR & SEATING
We make the quality difference in furniture



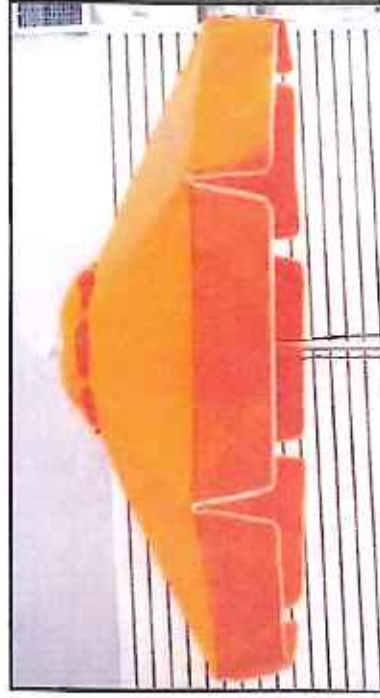
MODEL#52-1800 DD-RIALTO-SIDE CHAIR BRONZE

OVERALL HEIGHT 34"
OVERALL WIDTH 23"
OVERALL DEPTH 24.5"

AMERICAN CHAIR & SEATING
We make the quality difference in furniture

1-617-472-6230

PATIO UMBRELLA- ORANGE



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1528 West 117th Street
Dunkin' Donuts



12507 Plover Avenue

Planning Commission
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FRONT ENTRANCE



REAR VIEW



CLOSE UP VIEW OF THE
FRONT OF BUILDING &
WINDOWS



SIDE ENTRANCE / RAMP
NORTH SIDE OF BUILDING



FRONT OF BUILDING

12507 Plover Avenue

Planning Commission
November 2012



Photo #28: Existing Manufacturing Area



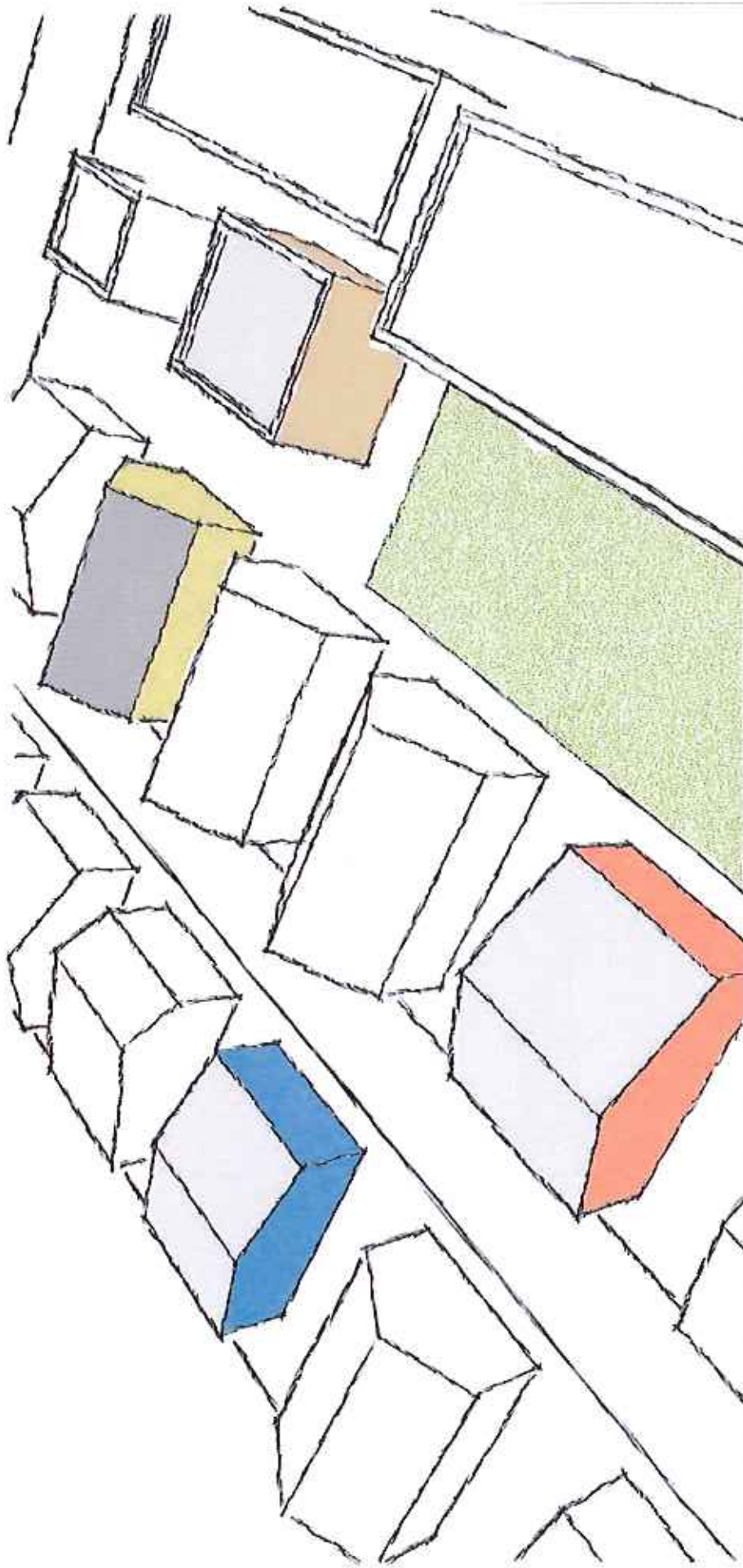
Photo #29: Existing Storage Area in Front Part of Building



Photo #30: Existing Electrical Service

12507 Plover Avenue

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Planning Commission

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